



**ఆంధ్రప్రదేశ్ రాజ పత్రము**  
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**PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC**

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**NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,**

**SUPERINTENDENT OF JAILS, CENTRAL PRISON, NELLORE.**

**Procs. No. CPN / OS(E)/5901/2019. Dated : 29-10-2019.**

**SRI SK. JOHN SAIDA, WARDER - EXHIBITING A CONDUCT THAT IS UN-BECOMING OF A GOVERNMENT SERVANT AND EXHIBITING GROSS MISCONDUCT BY UNAUTHORISEDLY FROM 06-12-2018 TO 04-09- 2019 i.e., (273) DAYS - VIOLATION OF RULES OF A.P. PRISONS RULES, 1979 AND APCs (CONDUCT) RULES, 1964 AND - INITIATION OF DISCIPLINARY PROCEEDINGS UNDER RULE 20 OF A.P.C.S. (CC&A) RULES, 1991 -APPOINTMENT OF ENQUIRY OFFICER - INQUIRY CONDUCTED - CHARGES PROVED - ENQUIRY REPORT COMMUNICATED - FURTHER REPRESENTATION NOT SUBMITTED WITHIN THE STIPULATED TIME - FINAL ORDERS- ISSUED.**

- Ref: 1. This Office Charge Memo. No. CPN/OS(E)/5029/2019, Dt. 11-09-2019.  
2. Written statement Dt. 21-09-2019 of Sri Sk. John Saida, Warder, Central Prison, Nellore.  
3. This Office Procs. No. CPN/OS(E)/5302/2019, Dt. 27-09-2019.  
4. Inquiry Report Dt. 09-10-2019 of Sri P. Venugopal, Inquiry Officer-cum- Deputy Superintendent of Jails, Central Prison, Nellore.  
5. This Office Memo. No. CPN/OS(E)/5583/2Q19, Dt. 11-10-2019.

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Whereas Sri Sk. John Saida, Warder, Central Prison, Nellore was issued with the following articles of charges in connection with his unauthorized absence for duty from 06-12-2018 to 04-09-2019 i.e., (273) days under Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991 vide reference 1<sup>st</sup> cited.

**Article of Charge - I:** That the said Sri Sk. John Saida, Warder, Central Prison, Nellore has exhibited gross misconduct and dereliction of duty by absenting himself unauthorizedly from 6-12-2018 to 04-09-2019. Thus he violated the Rule 90 of A. P. Prisons Rules, 1979.

**Article of Charge - II:** That the said Sri Sk. John Saida, Warder, Central Prison, Nellore has deceived the administration by giving false leave address with ulterior motive so that memos sent by this office are returned undelivered and thus exhibiting lack of devotion to duty, lack of integrity lack of discipline and hence violated Rule 3 (1) of AP Civil Services (Conduct Rules), 1964.

**Article of Charge - III:** That the said Sri Sk. John Saida, Warder, Central Prison, Nellore has exhibited a conduct that is unbecoming of a Government Servant by becoming a habitual delinquent and not changing his attitude or behavior in spite of receiving several punishments on previous occasions and still continuing to commit severe violations of conduct rules. Thus violated Rule 3(2) of AP Civil Services (Conduct Rules), 1964.

2. Whereas the Charged Officer has submitted his written statement through the reference 2<sup>nd</sup> cited wherein he has denied all the charges framed against him. As his explanation was found not satisfactory, this Office has appointed Sri P. Venugopal, Deputy Superintendent of Jails, Central Prison, Nellore and Sri N. Srinivasa Rao, Jailor, Central Prison, Nellore as Enquiry Officer and Presenting Officer respectively vide reference 3<sup>rd</sup> cited to enquire into the charges framed against the Charged Officer. On conducting of Inquiry, the Enquiry Officer has submitted his report to this Office, wherein he has held that all the articles of Charges I, II and III are proved.

3. On perusal of the Inquiry Report, the Enquiry Officer has held that charges are proved basing on the following grounds and the same was accepted by the Superintendent, Central Prison, Nellore in total.

**ARTICLE OF CHARGE - I:** On the basis of the Documentary and oral evidences adduced during the course of the inquiry the charged officer it is clearly established that the charged officer exhibited gross misconduct and dereliction of duty by absenting himself for duty from 6-12-2018 to 4-9-2019. Rule 90 of AP Prison Rules 1979 clearly states that Rule 90 of A.P. Prisons Rules, 1979 clearly states that “ No Subordinate Officer shall be absent during the hours fixed for his attendance without the permission of the Superintendent or Jailor”. His fixed hours for duty was on 6-12-2018. But he chose to remain absent for duty at his will without permission of the Superintendent or Jailor and thus he clearly violated the Rule 90 of AP Prison Rules 1979. Thus the article of charge - I is “**PROVED**”

**ARTICLE OF CHARGE - II:** On the basis of the Documentary and oral evidences adduced during the course of the inquiry the charged officer did deceived the administration with ulterior motive by giving false address. Rule 3 (1) of AP Civil Services (Conduct Rules), 1964 clearly states that “ Every Government employee shall be devoted to his duty and shall maintain absolute integrity, discipline, impartiality and a sense of propriety”. By deceiving the administration with false addresses his lack of integrity and lack of sense propriety is clearly manifested. Thus he violated the Rule 3(1) of AP Civil Services (Conduct Rules), 1964. Thus the article of charge - II is **“PROVED”**

**ARTICLE OF CHARGE - III:** The following punishments awarded to him in a span of four years indicates his lack of devotion, discipline, unbecoming nature.

1. He is Warned for his unauthorized absence for duty from 02-08-2016 to 27-09-2016 (57 days) and instructed not to repeat such type of mistake in future vide this Office Procs. No. CPN/OS(E)/6095/2016, Dt. 25-10-2016.
2. He was punished with the postponement of (02) Annual Grade Increments without cumulative effect for borrowing money from Smt. Sk. Shahin, Wife of a Convict Prisoner vide this office Procs. No. CPN/OS(E)/6338/2016, Dt. 04-11-2016.
3. He was punished with “withholding of One (01) Annual grade increment with cumulative effect” for his unauthorized absence for duty from 30-04-2017 to 07-06-2017 (39 days) vide this Office Procs. No. CPN/OS(E)/5145/2016, Dt. 28-08-2017.
4. He was punished with “withholding of Two (02) Annual grade increment with cumulative effect” for his unauthorized absence for duty from 13-10-2017 to 21-12-2017 (70 days) vide this Office Procs. No. CPN/OS(E)/2306/2016, Dt. 5-4-2018.
5. He was punished with “Stoppage of his next Two (02) Annual Grade Increments with cumulative effect with adverse impact on his pension” for his unauthorized absence for duty from 05-07-2018 to 14-09-2018 (72 days) vide this Office Procs. No. CPN/OS(E)/2306/2016, Dt. 5-4-2018. He was severely warned in this Proceedings that it will be the last of above such punishments and any further negligence in duty or deliberate violation of rule provisions will result in more severe form of punishments including his removal from service.

On perusal of the above offences committed by him together with the present unauthorised absence again for 273 days it clearly establishes that he lacks any remorse and that he is beyond any reformation which is unwarranted from a Government Servant. Rule 3 (2) of AP Civil Services (Conduct Rules), 1964 clearly states that “No Government employee shall behave in a manner which is unbecoming of such employee or derogatory to the Prestige of Government”. Thus he violated the Rule 3 (2) of AP Civil Services (Conduct Rules), 1964. Thus the article of charge - III is **“PROVED”**.

4. The Charged Officer gave his statement Dt. 01-10-2019 during the Enquiry wherein he has stated that he proceeded on a two day Casual Leave on 04-12-2018 and 05-12-2018 duly getting it sanctioned. He stated that he was absent for duty as it was his responsibility to resolve his family problems. Now that he has solved all his family problems he has reported back for duty. He has further stated that he has attended for "JAMAAT" to change his bad habits and his attitude and that henceforth he will perform the duties with commitment. He assured that he does not repeat such types of lapses in future and excuse him for this time duly keeping in view of his family members.

5. While communicating a copy of the Enquiry Report along with its enclosures to the Charged Officer vide this office memo 5<sup>th</sup> cited on 11-10-2019, the Charged Officer was directed to submit his further representation, if any, in this regard within (07) days from the date of receipt of this memo, and he was also informed that in case he fails to submit his explanation within or by (07) days, orders are liable to be passed on the merits of the case. But he has not submitted any representation within the stipulated period i.e., by 17-10-2019. Besides, he has again absented himself for duty unauthorizedly w.e.f. 22-10-2019 despite the pending of disciplinary action for his previous unauthorized absence.

6. Sri Sk. John Saida, Warder, Central Prison, Nellore has not changed his attitude or his behavior. He has least regard for Government Service. He has been warned several times earlier and at times, even punished and yet he is continuing his unauthorized absence. Even after he was severely warned that the punishment of removal from service will be awarded to him, he yet again got unauthorizedly absent for duty without even bothering to submit his explanation or informing this office of his inability to provide explanation in time. His this behavior is completely challenging the Authority and this if goes unchecked, there is every possibility for the other Prison personnel to emulate such behavior. Sri Sk. John Saida, Warder has become a liability to Prisons Department and it is high time the Institution/Department puts a full stop to such attitude. **Hence, he is awarded with the punishment of "Removal from Service" with immediate effect.**

7. Further Sri Sk. John Saida, Warder, Central Prison, Nellore is directed to handover the Government Property issued to him from this office immediately. Further he is informed that he may prefer an appeal against these orders to the appellate authority within the stipulated period from the date of receipt of these orders.

8. Necessary entries should be made in the Service Register of the individual under proper attestation.

**M.R. RAVI KIRAN,**  
*Superintendent of Jails*  
*Central Prison, Nellore.*

To

Sri Sk. John Saida, Warder, Central Prison, Nellore (on Unauthorized absence)  
S/o. Khasim Saheb, Gurrula Chavidi, Pillala Company Road, Chilakaluripet,  
Guntur District.